

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: EFFICIENT USE OF TELEPHONE NUMBERING RESOURCES	DOCKET NO. RMU-02-9
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ORDER COMMENCING RULE MAKING

(Issued October 21, 2002)

Pursuant to the authority of Iowa Code §§ 17A.4 and 476.2 and 47 U.S.C. § 251(e), the Utilities Board (Board) proposes the rule attached hereto and incorporated by reference. This rule adds a new section to 199 IAC 22 to provide guidelines for communications service providers in Iowa who wish to apply for additional central office codes.

IT IS THEREFORE ORDERED:

1. A rule making proceeding, identified as Docket No. RMU-02-9, is commenced for purposes of receiving comments upon the proposed rule attached to this order.

2. The Executive Secretary is directed to submit for publication in the Administrative Bulletin, a notice in the form attached to and incorporated by reference in this order.

UTILITIES BOARD

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 21st day of October, 2002.

UTILITIES DIVISION [199]

Notice of Intended Action

Pursuant to Iowa Code sections 17A.4 and 476.2 and 47 U.S.C. § 251(e), the Utilities Board (Board) gives notice that on October 21, 2002, the Board issued an order in Docket No. RMU-02-9, In re: Efficient Use of Telephone Numbering Resources, "Order Commencing Rule Making," to receive public comment on a new proposed rule containing the requirements for communications service providers in Iowa, who wish to apply for additional central office codes with the North American Numbering Plan Administrator (NANPA).

Under the existing North American Numbering Plan, telephone numbers in Iowa are assigned by central office code, or prefix. In a standard seven-digit local telephone number, the prefix is the first three digits, sometimes referred to as the NXX. Each prefix represents 10,000 potential telephone numbers. Because certain prefixes are unavailable for use as local exchange telephone numbers (such as prefixes starting with a 0 or 1, or special prefixes like 800 or 911), there are only about 750 to 760 prefixes available in any particular area code. Area code exhaustion occurs when all of the available prefixes are assigned. Prior to exhaust, the Board must initiate area code relief proceedings to provide additional available prefixes. These relief proceedings are expensive and disruptive processes that should only be undertaken when necessary.

Communications service providers apply to NANPA for new or growth prefixes. Currently, prefixes are assigned by NANPA at a national rate of approximately 40,000 prefixes per year. Under its existing guidelines, NANPA must approve or reject each application within ten days of the date the application is filed. The volume of applications and the short time period available for review makes it difficult, if not impossible, for NANPA to determine whether each application complies with all applicable requirements, especially state-specific requirements.

If prefixes are assigned to communications service providers on the basis of invalid applications because NANPA could not sufficiently review all applications, then prefixes are wasted on noncompliant services and the projected date of area code exhaustion is accelerated. Thus, it is in the public interest for each application to be reviewed for compliance with all Iowa requirements before it is granted. As noted above, because of the volume of applications and the varying requirements of each state, NANPA cannot efficiently review each application, but instead must rely on the various state regulatory agencies.

In order to fulfill this role, the Board must receive a copy of each application for a new or additional prefix at the time it is filed with NANPA. The Board issued an order on July 24, 2002, in Docket No. NOI-00-3, which established the procedures communications service providers are to follow when submitting copies of their applications to the Board. The order requires carriers to send an executed application to the Board by facsimile transfer or electronic mail two

days prior to submission to NANPA. The applications may be faxed to 515-281-5329 or electronically mailed to Board staff.

If a carrier intends to apply for confidential treatment of the information contained in its application, the carrier must file the application formally in compliance with the procedures of 199 IAC 1.9. Under the proposed rules, the carrier seeking confidential treatment shall file three copies of its application with the Board at least two days prior to the date the original application is received by NANPA.

The proposed rule seeks to implement the previously described submission process as a Board rule and establish the requirement for carriers who wish to apply for additional central office codes.

Pursuant to Iowa Code sections 17A.4(1)"a" and "b," any interested person may file a written statement of position pertaining to the proposed rule. The statement must be filed on or before December 3, 2002, by filing an original and ten copies in a form substantially complying with 199 IAC 2.2(2). All written statements should clearly state the author's name and address and should make specific reference to this docket. All communications should be directed to the Executive Secretary, Utilities Board, 350 Maple Street, Des Moines, Iowa 50319-0069.

If requested, pursuant to Iowa Code section 17A.4(1)"b" or on its own motion after reviewing the statements, the Board will determine whether an opportunity for oral presentation should be provided.

The proposed rule is intended to implement Iowa Code section 476.2 and 47 U.S.C. § 251(e).

Add the following **new** rule:

199—22.24 Applications for central office codes

a. Application to be filed with the board. Any communications service provider, including but not limited to local exchange carriers, wireless service providers, and paging companies, applying for new or additional central office codes with the North American Numbering Plan Administration shall send an executed application to the Board by facsimile transfer or electronic mail at least two days prior to the date the original application is received by the North American Numbering Plan Administrator. The applications may be faxed to 515-281-5329 or electronically mailed to iubrecordscenter@iub.state.ia.us. Electronic submissions shall include “NANPA Application” in the subject line.

b. Confidential treatment. If a communications service provider intends to request the Board treat any or all of the information contained in its application to the North American Numbering Plan Administration as confidential, three copies of the application shall be filed with the Board in compliance with the procedures of 199 IAC 1.9 at least two days prior to the date the original application is received by the North American Numbering Plan Administrator. Copies may be addressed to the Executive Secretary, Iowa Utilities Board, 350 Maple Street, Des Moines, Iowa 50319-0069.

c. *Content.* Each application filed with the board under this rule shall include sufficient information to identify the service provider, a contact person, and a reference to this rule.

October 21, 2002

/s/ Diane Munns

Diane Munns

Chairman